

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... SEP 04 1990

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... SEP 17 1990

The applicant..... Property Development Associates

7677 Oakport Street, Suite 520....., of Oakland.....
Street and No. or P.O. Box No. City or Town

California 94621....., hereby make..... application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
 copartnership or association, give names of members.)..... Property Development Associates is a

co-partnership with Pacific Resources Associates as managing partner and
Safeway U.S. Holding, Inc.

1. The source of the proposed appropriation is..... underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is..... 0.056.....second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for..... Groundwater Remediation
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under "No. 12. Remarks")..... Groundwater Remediation

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point..... SW¼ SW¼ of Section 15, T34N, R55E,
Describe as being within a 40-acre subdivision of public

MDB&M., at three points from which the SW corner of said Section 15 bears S
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated. 1°39'32" W, 929.82 feet; S 5°
11'33"W, 916.93 feet; S 2°42'01" W, 852.56 feet.

6. Place of use..... Portions of the SW¼ SW¼ of Section 15, and the SE¼ SE¼ of Section 16,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
T34N, R55E, MDB&M., being Lots 11, 12 and 12A of Block 56R of the Sunset Heights
Subdivision, City of Elko, Nevada.

7. Use will begin about..... January 1..... and end about..... December 31....., of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
 specifications of your diversion or storage works.)..... 3 shallow groundwater wells with 5 to 8
State manner in which water is to be diverted, i.e. diversion structure, ditches and
gpm pumps in each well.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... \$20,000

10. Estimated time required to construct works.....one month
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Three groundwater extraction wells will be constructed, and equipped with 5 to 8 gpm pumps. Groundwater will be pumped at an average of 36,000 gal/day to a treatment system for the removal of hydrocarbon contamination. Treated water will be discharged to the sanitary sewer or reinjected to the groundwater system.

By s/James E. Terrin Agent for Property
Development Associates
2001 P Street, Suite 250
Sacramento, CA 95814

Compared bc/ am am/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use. The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed 0.056 cubic feet per second, or 13.20 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 30, 1992

Proof of completion of work shall be filed on or before January 30, 1993

Application of water to beneficial use shall be made on or before N/A

Proof of the application of water to beneficial use shall be filed on or before N/A

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAR 4 - 1993

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 30th day of December

A.D. 19 91

[Signature]
State Engineer